

Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

DIANNE L. KELLEY and KENNETH  
HANSEN,

Plaintiffs,

v.

MICROSOFT CORPORATION, a Washington  
Corporation,

Defendant.

NO. C07-0475 MJP

SUPPLEMENTAL DECLARATION OF  
JEFFREY M. THOMAS IN  
OPPOSITION TO MICROSOFT'S  
MOTION TO STAY PROCEEDINGS

CLASS ACTION

*Noted on Motion Calendar:*  
March 21, 2008

I, Jeffrey M. Thomas, declare as follows:

1. ***Identity and Competency.*** I am an attorney with the law firm of Gordon Tilden

Thomas & Cordell, LLP. Together with Keller Rohrback, LLP, we represent the plaintiffs.

2. ***Plaintiffs' Answer to Microsoft's Petition for Permission to Appeal.*** As

mentioned in my Declaration in Opposition to Microsoft's Motion to Stay, plaintiffs are  
opposing Microsoft's attempt at interlocutory appeal of the Court's decision on choice of law  
and class certification, and that we would file with this Court a copy of our opposition linked to  
the papers on Microsoft's motion for a stay. *See* Dkt. No. 137 ¶ 2. To this end, attached as  
**Exhibit A** is a true and correct copy of plaintiffs' Answer to Petition for Permission to Appeal,  
as filed with the Ninth Circuit Court of Appeals today.

SUPPLEMENTAL DECLARATION OF JEFFREY M.  
THOMAS IN OPPOSITION TO MICROSOFT'S MOTION TO  
STAY PROCEEDINGS - 1  
No. C07-0475 MJP

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1 I declare under penalty of perjury that the foregoing is true and correct.  
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3 Executed this 18th day of March, 2008, at Seattle, Washington.  
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Jeffrey M. Thomas

**CERTIFICATE OF SERVICE**

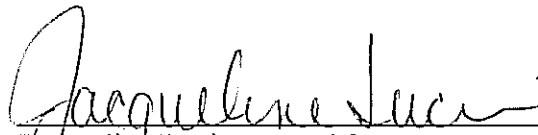
I hereby certify that on March 18, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following.

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